

Peter G. McAllen (State Bar No. 107416)
JONES DAY
555 S. Flower St., 50th Floor
Los Angeles, CA 90071
Telephone: (213) 489-3939
Facsimile: (213) 243-2539
E-mail: pmcallen@jonesday.com

Tobias S. Keller (State Bar No. 151445)
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104-1500
Telephone: (415) 626-3939
Facsimile: (415) 875-5700
E-mail: tkeller@jonesday.com

Attorneys for Plaintiff
PUBLIC UTILITY DISTRICT NO. 2 OF GRANT
COUNTY, WASHINGTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PUBLIC UTILITY DISTRICT NO. 2 OF
GRANT COUNTY, WASHINGTON

Plaintiff.

vs.

PACIFIC GAS AND ELECTRIC COMPANY

Defendant.

Case No. C 07-03243 JSW

Chapter 11 Case

Bankr. Case No. 01-30923 DM

**[PROPOSED] ORDER STRIKING
NOTICE OF DECEMBER 4 ORDER
BY JUDGE WENDELL MORTIMER,
JR. OF THE LOS ANGELES
SUPERIOR COURT**

1 This matter came on for hearing on January 25, 2008, on Plaintiff Public Utility District
2 No. 2 of Grant County Washington's Motion to Strike Notice of December 4 Order by Judge
3 Wendell Mortimer, Jr. of the Los Angeles Superior Court (the "Motion"). The Court has read the
4 papers submitted in connection with the Motion, and considered arguments of counsel and the
5 authorities cited to the Court. The Court has concluded that the Motion should be granted and
6 that the Notice of December 4 Order by Judge Wendell Mortimer, Jr. of the Los Angeles Superior
7 Court (Docket No. 31) (the "December 6 Notice"), which was filed by Defendant Pacific Gas &
8 Electric ("PG&E") on December 6, 2007, should be stricken as immaterial and impertinent
9 pursuant to Rule 12(f) of the Federal Rules of Civil Procedure (the "Federal Rules").

10 IT IS HEREBY ORDERED THAT:

- 11 1. The Motion is hereby GRANTED.
- 12 2. The December 6 Notice is hereby stricken pursuant to Federal Rule 12(f).

13 IT IS SO ORDERED.

14 Dated: _____, 2008

15
16 _____
Honorable Jeffrey S. White
United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28